

### **REMARKS**

Claims 1-4 and 6-12 are pending in the above-identified application. Claim 1 has been amended by incorporating the allowable subject matter of claim 5 thereinto; and claim 10 has been amended by incorporating the allowable subject matter of claim 13 thereinto.

#### **Allowable Claims 1-4 and 10-12**

Since the allowable subject matter of claims 5 and 13 have been incorporated into claims 1 and 10, respectively, it is submitted that independent claims 1 and 10 have been placed into allowable form, along with the other claims which depend from these claims, including claims 2-4, 11 and 12. Therefore, it is submitted that all of the claims 1-4 and 10-12 have been placed into allowable form.

#### **Removal of Issues under 35 USC 102 and 103**

Claims 1 and 3 have been rejected under 35 U.S.C. 102(b) as being anticipated by Ota '008 (Japanese Patent Publication No. 06-57008 and English translation thereof).

Claims 2 and 10-12 have been rejected under 35 U.S.C. 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. 103(a) as being obvious over Ota '008.

Claims 4 and 12 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Ota '008 in view of Fenton '224 (USP 4,584,244).

Claims 1-3, 10 and 11 have been rejected under 35 U.S.C. 102(e) as being unpatentable over Itoh '786 (USP 6,610,786).

The bases for all of the above-noted rejections have been removed upon the incorporation of claims 5 and 13 into claims 1 and 10, respectively. Consequently, it is requested that these rejections be withdrawn.

Withdrawn Claims 6-9

Claims 6-9 have been maintained as being withdrawn pursuant to a Restriction Requirement. It is respectfully requested that the Patent Examiner reconsider the Restriction Requirement so that these claims may be substantively examined. Claims 6-9 recite an extruding device which is used in connection with the methods recited in the other pending claims of the present application which have been indicated as being in allowable form. Therefore, it is requested that claims 6-9 also be placed into allowable form.

It is submitted for the reasons above that the present claims define patentable subject matter such that this application should now be placed in condition for allowance.

If any questions arise in the above matters, please contact Applicant's representative, Andrew D. Meikle (Reg. No. 32,868), in the Washington Metropolitan Area at the phone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: October 27, 2005

Respectfully submitted,

By 

Andrew D. Meikle

Registration No.: 32,868

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant